

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 597 – HB 968

March 22, 2017

SUMMARY OF ORIGINAL BILL: Authorizes a competent adult with a functional disability living in the adult's own home or a caregiver acting on behalf of a minor child or incompetent adult living in the minor child's or the incompetent adult's own home to choose to direct and supervise a paid personal aide in the performance of a health maintenance task subject to the aide having been taught, evaluated, and supervised. Requires the Tennessee Commission on Aging and Disabilities (TCAD) to promulgate rules to implement the proposed legislation after consultation with the Bureau of TennCare (Bureau), the Board of Nursing, the Department of Intellectual and Developmental Disabilities (DIDD), and stakeholder groups representing older persons and people with disabilities.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Expenditures – Exceeds \$906,200/FY17-18
Exceeds \$1,812,400/FY18-19 and Subsequent
Years

Decrease Federal Expenditures – Exceeds \$1,728,400/FY17-18
Exceeds \$3,456,900/FY18-19 and Subsequent
Years

SUMMARY OF AMENDMENT (005397): Deletes and replaces language in the original bill such that the substantive changes are: (1) removes the provision that requires the paid aide to be evaluated and supervised; (2) adds language that indicates that self-direction of healthcare tasks by an individual receiving Medicaid-reimbursed home and community based long-term care services are to be provided pursuant to Title 71, Chapter 5, Part 14; and (3) removes the Board of Nursing from the list to be consulted for the promulgation of rules and adds the Department of Mental Health and Substance Abuse Services, AARP Tennessee, the Tennessee Disability Coalition, and the Tennessee Association of Home Care to the list that the Tennessee Commission on Aging and Disability are required to consult with for the promulgation of rules.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

SB 597 – HB 968

Assumptions for the bill as amended:

- The proposed legislation would only apply to programs and services for the elderly pursuant to Tenn. Code Ann. § 71-2-103 or under a private pay arrangement.
- TennCare programs are exempt from the proposed legislation; therefore, any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/jem